AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. TAKANO OF CALIFORNIA

At the end title X, add the following new section:

SEC. 10. RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.

(a) IN GENERAL.—An institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may not use revenues derived from sections 1784a, 2007, or 2015 of title 10, United States Code, for recruiting or marketing activities described in subsection (b).

(b) COVERED ACTIVITIES.—Except as provided in subsection (c), the recruiting and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.
(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student’s potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

(c) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall
1. not be considered to be a covered activity under subsection 2. (b).