

115TH CONGRESS
2D SESSION

H. R. 5229

To amend section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify the prohibition on postsecondary education benefits for certain aliens, to grant a private right of action to persons injured by a violation of such prohibition, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2018

Mr. PERRY (for himself, Mr. JODY B. HICE of Georgia, Mr. KING of Iowa, Mr. BABIN, Mr. HARRIS, and Mr. BIGGS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the 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 clarify the prohibition on postsecondary education benefits for certain aliens, to grant a private right of action to persons injured by a violation of such prohibition, 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 “Tuition Fairness for
3 Citizens Act”.

4 **SEC. 2. LIMITATION ON ELIGIBILITY FOR HIGHER EDU-**
5 **CATION BENEFITS OF ALIENS NOT LAW-**
6 **FULLY PRESENT.**

7 Section 505 of the Illegal Immigration Reform and
8 Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is
9 amended to read as follows:

10 **“SEC. 505. LIMITATION ON ELIGIBILITY FOR HIGHER EDU-**
11 **CATION BENEFITS OF ALIENS NOT LAW-**
12 **FULLY PRESENT.**

13 “(a) IN GENERAL.—Notwithstanding any other pro-
14 vision of law, an alien who is not lawfully present in the
15 United States shall not be eligible for any postsecondary
16 education benefit unless all citizens and nationals of the
17 United States are likewise eligible for such benefit.

18 “(b) PRIVATE RIGHT OF ACTION.—Any person who
19 is aggrieved by a violation of subsection (a) may bring a
20 civil action in any court of appropriate jurisdiction for—

21 “(1) declaratory, injunctive, or other equitable
22 relief;

23 “(2) damages; and

24 “(3) such other relief as the court may deem
25 appropriate.

1 “(c) EFFECTIVE DATE.—This section, as amended
2 by the Tuition Fairness for Citizens Act, shall apply to
3 benefits provided on or after the date of the enactment
4 of such Act.”.

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