

AMENDMENT NO. 1

Calendar No. \_\_\_\_\_

Purpose: To counter antisemitic discrimination in higher education.

**IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.**

**S. 558**

To provide for the consideration of a definition of anti-semitism set forth by the International Holocaust Remembrance Alliance for the enforcement of Federal anti-discrimination laws concerning education programs or activities, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. Kim

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . COUNTERING ANTISEMITIC DISCRIMINATION IN**  
3 **HIGHER EDUCATION.**

4 (a) DEFINITIONS.—In this section:

5 (1) COVERED INSTITUTION.—The term “cov-  
6 ered institution” means a college, university, or  
7 other postsecondary institution, or a public system  
8 of higher education that receives Federal funds.

9 (2) SECRETARY.—The term “Secretary” means  
10 the Secretary of Education.

1       (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the Department of Education should expedi-  
3 tiously issue a proposed rule pursuant to Executive Order  
4 13899 (84 Fed. Reg. 68779; relating to Combating Anti-  
5 Semitism).

6       (c) OCR DESIGNEE.—Not later than 180 days after  
7 the date of enactment of this Act, the Secretary shall des-  
8 ignate a senior officer or senior employee of the Office for  
9 Civil Rights (in this section referred to as the “Des-  
10 ignee”). The Designee shall—

11           (1) serve as the Secretary’s primary advisor on  
12 the Department of Education’s efforts to counter  
13 antisemitic discrimination at covered institutions;

14           (2) oversee the Department of Education’s ef-  
15 forts to increase awareness of antisemitic discrimina-  
16 tion at covered institutions, including by proactively  
17 providing information to students at covered institu-  
18 tions about how to file complaints of discrimination  
19 with the Department of Education;

20           (3) remind covered institutions of their legal re-  
21 sponsibility under title VI of the Civil Rights Act of  
22 1964 (42 U.S.C. 2000d et seq.) to provide all stu-  
23 dents, including those who are or are perceived to be  
24 Jewish or Israeli, a school environment free from  
25 discrimination based on race, color, or national ori-

1       gin, including shared ancestry or ethnic characteris-  
2       tics;

3           (4) ensure that students at covered institutions  
4       who have experienced discrimination based on na-  
5       tional origin (including shared ancestry or ethnic  
6       characteristics) and desire to file a complaint of dis-  
7       crimination with the Department of Education have  
8       the information and resources to do so; and

9           (5) make recommendations to the Secretary on  
10       the Department of Education's efforts to counter  
11       antisemitic discrimination in higher education.

12       (d) REPORTING.—

13           (1) IN GENERAL.—Beginning not later than  
14       180 days after the date of enactment of this Act and  
15       every year thereafter for a period of 10 years, the  
16       Designee shall submit a report to Congress con-  
17       taining information about each complaint received by  
18       the Office for Civil Rights of the Department of  
19       Education that—

20           (A) concerns discrimination under title VI  
21       of the Civil Rights Act of 1964 (42 U.S.C.  
22       2000d et seq.) on the basis of national origin  
23       (including shared ancestry or ethnic character-  
24       istics) at a covered institution; and

1 (B) is outstanding as of the date of com-  
2 pletion of the report and was received 6 months  
3 before such date or earlier.

4 (2) CONTENTS.—Each report described in para-  
5 graph (1) shall include—

6 (A) with respect to each complaint, the  
7 status of the complaint, including—

8 (i) the reasons the complaint has not  
9 been resolved; and

10 (ii) an estimated timeframe for the  
11 resolution of the complaint; and

12 (B) the Designee's activities to—

13 (i) increase awareness of antisemitic  
14 discrimination at covered institutions; and

15 (ii) provide information to students at  
16 covered institutions on how to file com-  
17 plaints of discrimination with the Depart-  
18 ment of Education.