

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**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 IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Antisemitism Aware-  
5 ness Act of 2025”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) title VI of the Civil Rights Act of 1964 (42

9 U.S.C. 2000d et seq.), prohibits discrimination on

10 the basis of race, color, and national origin in pro-

1       grams and activities receiving Federal financial as-  
2       sistance;

3           (2) while such title does not cover discrimina-  
4       tion based solely on religion, individuals who face  
5       discrimination based on actual or perceived shared  
6       ancestry or ethnic characteristics do not lose protec-  
7       tion under such title for also being members of a  
8       group that share a common religion;

9           (3) discrimination against Jews may give rise to  
10      a violation of such title when the discrimination is  
11      based on race, color, or national origin, which can  
12      include discrimination based on actual or perceived  
13      shared ancestry or ethnic characteristics;

14          (4) it is the policy of the United States to en-  
15      force such title against prohibited forms of discrimi-  
16      nation rooted in antisemitism as vigorously as  
17      against all other forms of discrimination prohibited  
18      by such title; and

19          (5) as noted in the U.S. National Strategy to  
20      Counter Antisemitism issued by the White House on  
21      May 25, 2023, it is critical to—

22            (A) increase awareness and understanding  
23            of antisemitism, including its threat to America;

24            (B) improve safety and security for Jewish  
25            communities;

1 (C) reverse the normalization of anti-  
2 semitism and counter antisemitic discrimina-  
3 tion; and

4 (D) expand communication and collabora-  
5 tion between communities.

6 **SEC. 3. FINDINGS.**

7 Congress finds the following:

8 (1) Antisemitism is on the rise in the United  
9 States and is impacting Jewish students in K–12  
10 schools, colleges, and universities.

11 (2) The International Holocaust Remembrance  
12 Alliance (referred to in this Act as the “IHRA”)  
13 Working Definition of Antisemitism is a vital tool  
14 which helps individuals understand and identify the  
15 various manifestations of antisemitism.

16 (3) On December 11, 2019, Executive Order  
17 13899 extended protections against discrimination  
18 under the Civil Rights Act of 1964 to individuals  
19 subjected to antisemitism on college and university  
20 campuses and tasked Federal agencies to consider  
21 the IHRA Working Definition of Antisemitism when  
22 enforcing title VI of such Act.

23 (4) Since 2018, the Department of Education  
24 has used the IHRA Working Definition of Anti-

1       semitism when investigating violations of that title  
2       VI.

3           (5) The use of alternative definitions of anti-  
4       semitism impairs enforcement efforts by adding mul-  
5       tiple standards and may fail to identify many of the  
6       modern manifestations of antisemitism.

7           (6) The White House released the first-ever  
8       United States National Strategy to Counter Anti-  
9       semitism on May 25, 2023, making clear that the  
10      fight against this hate is a national, bipartisan pri-  
11      ority that must be successfully conducted through a  
12      whole-of-government-and-society approach.

13   **SEC. 4. DEFINITIONS.**

14       For purposes of this Act, the term “definition of anti-  
15      semitism”—

16           (1) means the definition of antisemitism adopt-  
17      ed on May 26, 2016, by the IHRA, of which the  
18      United States is a member, which definition has  
19      been adopted by the Department of State; and

20           (2) includes the “[c]ontemporary examples of  
21      antisemitism” identified in the IHRA definition  
22      adopted on May 26, 2016.

1 **SEC. 5. RULE OF CONSTRUCTION FOR TITLE VI OF THE**  
2 **CIVIL RIGHTS ACT OF 1964.**

3 In reviewing, investigating, or deciding whether there  
4 has been a violation of title VI of the Civil Rights Act  
5 of 1964 (42 U.S.C. 2000d et seq.) on the basis of race,  
6 color, or national origin, based on an individual's actual  
7 or perceived shared Jewish ancestry or Jewish ethnic char-  
8 acteristics, the Department of Education shall take into  
9 consideration the definition of antisemitism as part of the  
10 Department's assessment of whether the practice was mo-  
11 tivated by antisemitic intent.

12 **SEC. 6. OTHER RULES OF CONSTRUCTION.**

13 (a) GENERAL RULE OF CONSTRUCTION.—Nothing in  
14 this Act shall be construed—

15 (1) to expand the authority of the Secretary of  
16 Education;

17 (2) to alter the standards pursuant to which the  
18 Department of Education makes a determination  
19 that harassing conduct amounts to actionable dis-  
20 crimination; or

21 (3) to diminish or infringe upon the rights pro-  
22 tected under any other provision of law that is in ef-  
23 fect as of the date of enactment of this Act.

24 (b) CONSTITUTIONAL PROTECTIONS.—Nothing in  
25 this Act shall be construed to diminish or infringe upon

1 any right protected under the First Amendment to the  
2 Constitution of the United States, including—

3 (1) the free exercise of religion;

4 (2) the freedom of speech, or of the press;

5 (3) the right of the people peaceably to assem-  
6 ble; or

7 (4) the right to petition the Government for a  
8 redress of grievances.