

118TH CONGRESS
2D SESSION

H. R. 7945

To provide a definition of antisemitism for the enforcement of covered civil rights laws.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2024

Mr. D'ESPOSITO (for himself, Mr. LAWLER, Mr. FLEISCHMANN, and Ms. TENNEY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Oversight and Accountability, and 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 provide a definition of antisemitism for the enforcement of covered civil rights laws.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Define to Defeat Act
5 of 2024”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The May 26, 2016, International Holocaust
2 Remembrance Alliance definition of antisemitism is
3 objective and clear, and the use of alternative defini-
4 tions of antisemitism, including instead of or in ad-
5 dition to the IHRA definition, impairs enforcement
6 efforts by adding multiple standards that leave room
7 for subjective application and may fail to identify
8 some of the most insidious modern manifestations of
9 anti-Jewish hate.

10 (2) Antisemitism, including harassment on the
11 basis of actual or perceived Jewish origin, ancestry,
12 ethnicity, identity, affiliation, or faith, or connection
13 thereto, remains a persistent, pervasive, and dis-
14 turbing problem in contemporary American society.

15 (3) Jewish people continue to be a targeted mi-
16 nority in the United States. Data shows, for in-
17 stance, that Jews are consistently the most likely of
18 all religious groups to be victimized by incidents of
19 hate, and that such incidents are increasing at an
20 alarming rate.

21 (4) United States officials and institutions have
22 a responsibility to protect citizens from acts of hate
23 and bigotry motivated by discriminatory animus, in-
24 cluding antisemitism, and must be given the tools to
25 do so.

1 (5) Valid monitoring, informed analysis and in-
2 vestigation, and effective policymaking all require
3 uniform definitions.

4 (6) While there can be no exhaustive definition
5 of antisemitism, as it can take many forms, the
6 International Holocaust Remembrance Alliance’s
7 working definition has been an essential definitional
8 tool used to determine contemporary manifestations
9 of antisemitism, and includes useful examples of dis-
10 crimatory anti-Israel acts that cross the line into
11 antisemitism.

12 (7) The International Holocaust Remembrance
13 Alliance definition is used by various agencies of the
14 Federal Government and the dozens of governments
15 that are members of International Holocaust Re-
16 membrance Alliance. It is recommended for use by
17 the European Council and the European Parliament,
18 endorsed by the United Nations Secretary General
19 and the Secretary General of the Organization of
20 American States, included in policy guides prepared
21 by the Organization for Security and Cooperation in
22 Europe, and formally adopted by a growing number
23 of European and Middle Eastern nations.

24 (8) Use of this definition of antisemitism, al-
25 though it is not to be taken as an exhaustive defini-

1 tion, will increase the awareness and understanding
2 of the parameters of contemporary anti-Jewish dis-
3 crimination.

4 **SEC. 3. INCLUSION OF MATERIAL RELATED TO ANTI-**
5 **SEMITISM IN ANTI-DISCRIMINATION TRAIN-**
6 **ING.**

7 The head of each Federal department or agency shall
8 include the definition of the term “antisemitism” under
9 section 7 in any anti-discrimination training and education
10 materials or modules made available by the department
11 or agency.

12 **SEC. 4. INSTRUCTIONS TO THE JURY.**

13 In any Federal criminal or civil action before a jury
14 that involves antisemitism, the court shall include the defi-
15 nition of the term “antisemitism” in the instructions to
16 the jury.

17 **SEC. 5. RULES OF CONSTRUCTION FOR COVERED CIVIL**
18 **RIGHTS LAWS.**

19 In reviewing, investigating, or deciding whether there
20 has been a violation of a covered civil rights law on the
21 basis of race, religion, color, ethnicity, or national origin,
22 based on an individual’s actual or perceived connection to
23 an aspect of Jewish identity, each Federal department and
24 agency conducting such review or investigation or making
25 such decision shall take into consideration whether the po-

1 tential violation was motivated, in whole or in part, by
2 antisemitism.

3 **SEC. 6. ADDITIONAL RULES OF CONSTRUCTION.**

4 (a) GENERAL RULE OF CONSTRUCTION.—Nothing in
5 this Act may be construed—

6 (1) to expand the authority of the head of any
7 Federal department or agency to enforce or imple-
8 ment a covered civil rights law;

9 (2) to alter the standards pursuant to which the
10 head of a Federal department or agency makes a de-
11 termination that conduct constitutes a violation of a
12 covered civil rights law; or

13 (3) to diminish or infringe upon the rights pro-
14 tected under any other provision of law that is in ef-
15 fect on the date of enactment of this Act.

16 (b) CONSTITUTIONAL PROTECTIONS.—Nothing in
17 this Act may be construed to diminish or infringe upon
18 any right protected under the First Amendment to the
19 Constitution of the United States.

20 **SEC. 7. DEFINITIONS.**

21 In this Act:

22 (1) The term “antisemitism” has the meaning
23 given such term by the International Holocaust Re-
24 membrance Alliance on May 26, 2016, and includes
25 the examples of antisemitism set forth therein.

1 (2) The term “covered civil rights law” means
2 any of the following:

3 (A) Title I of the Voting Rights Act of
4 1965 (52 U.S.C. 10301 et seq.).

5 (B) Title II, title III, title IV, title VI, or
6 title VII of the Civil Rights Act of 1964 (42
7 U.S.C. 2000a et seq.).

8 (C) Section 1977 of the Revised Statutes
9 (42 U.S. Code 1981).

10 (D) The Equal Educational Opportunities
11 Act of 1974 (20 U.S.C. 1701–1758).

12 (E) Section 249 of title 18, United States
13 Code.

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