

S.558 – Antisemitism Awareness Act of 2025

## Section-by-Section Summary

### **Section 1. Short Title.**

This section identifies the name of the bill—the Antisemitism Awareness Act of 2025.

### **Section 2. Sense of Congress.**

This section lays the legal foundation for the bill, stating several well-established principles. First, it notes that Title VI “prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance.” More specifically, “discrimination against Jews may give rise to a [Title VI] violation.”

It further clarifies that “it is the policy of the United States to enforce [Title VI] against prohibited forms of discrimination rooted in antisemitism as vigorously as against all other forms of discrimination prohibited by” Title VI.

### **Section 3. Findings.**

This section highlights the need for the bill, noting that “[a]ntisemitism is on the rise in the United States and is impacting Jewish students in K–12 schools, colleges, and universities.” It also references President Trump’s 2019 executive order, which “tasked Federal agencies to consider the IHRA Working Definition of Antisemitism when enforcing Title VI.”

### **Section 4. Definitions.**

This section adopts the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as the definition of antisemitism for the purposes of this bill. Notably, the bill specifies the IHRA definition adopted on May 26, 2016. Explicitly naming the date leaves no room for ambiguity: the definition is fixed and not subject to change unless Congress affirmatively amends it.

This section also clarifies that the definition of antisemitism used in this bill “includes the [c]ontemporary examples of antisemitism’ identified in the IHRA definition.” These examples will assist the Department in identifying modern manifestations of antisemitism, thereby aiding Title VI enforcement. The IHRA definition explicitly notes that the examples must be considered while “taking into account the overall context” of the situation. Thus, the examples, by themselves, do not conclusively establish antisemitic intent.

### **Section 5. Rule of Construction for Title VI of the Civil Rights Act of 1964.**

This section directs the Department to “take into consideration the [IHRA] definition of antisemitism” when “reviewing, investigating, or deciding whether there has been a violation of Title VI” where the “practice was motivated by antisemitic intent.”

Importantly, this bill does not regulate speech. It adds a definition to Title VI, and Title VI regulates conduct—not speech. That’s why this section states that the Department will use the definition to assess “whether the practice was motivated by antisemitic intent.”

**Section 6. Other Rules of Construction.**

This section clarifies that the bill does not “expand the authority” of the Department or “alter the standards” by which the Department determines whether “harassing conduct amounts to actionable discrimination.” Therefore, the bill’s reach is necessarily limited—it applies only to Title VI enforcement by the Department. Relatedly, the bill does not expand the use of the definition to other areas of civil (and certainly not criminal) law.

This section also includes a savings clause, stating: “Nothing in this Act shall be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States.” This clear text underscores the principle that the bill can—and must—be implemented in a manner that is consistent with the First Amendment.